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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

29 FEDERAL TRADE COMMISSION,

Case No. 3:23-cv-02880-JSC

30 Plaintiff,

**DEFENDANTS' FIRST AMENDED  
STATEMENT OF WITNESSES AND  
EVIDENCE FOR JUNE 22, 2023,  
PURSUANT TO COURT ORDER (ECF NO.  
170)**

31 v.

32 MICROSOFT CORPORATION and  
33 ACTIVISION BLIZZARD, INC.,

34 Defendants.

35 Dept.: Courtroom 8—19th Floor  
36 Judge: Honorable Jacqueline S. Corley

1 Pursuant to the Court's Order Following June 21, 2023 Status Conference (ECF No. 170)  
 2 ("Order"), Defendants Microsoft Corp. ("Microsoft") and Activision Blizzard, Inc. ("Activision") file  
 3 this First Amended Statement Of Witnesses And Evidence and write to inform the Court that Defendants  
 4 will call Matt Booty and Sarah Bond as witnesses on Thursday, June 22, 2023. Defendants understand  
 5 that Plaintiff Federal Trade Commission ("FTC") intends to call Pete Hines as a witness.

6 Defendants intend to use the following exhibits with these witnesses:

7 <b>Witness</b>	8 <b>Exhibit</b>	9 <b>Declaration in Support of Sealing the Exhibit<sup>1</sup></b>	10 <b>Cross-Reference</b>
11 Matt Booty	12 RX5045	13 N/A	14 N/A
15 Sarah Bond	16 RX1184	17 ECF No. 150 at 45	18 N/A
	19 RX1196	20 N/A	21 ECF No. 111, Ex. 70
	22 RX1211	23 ECF No. 150 at 47	24 N/A
	25 RX1212	26 N/A	27 ECF No. 111, Ex. 37
	28 RX3019	29 ECF No. 150 at 46	30 ECF No. 111, Ex. 38
	31 RX1221 <sup>2</sup>	32 Amended declaration forthcoming	33 N/A
	34 RX1222 <sup>3</sup>	35 Amended declaration forthcoming	36 N/A

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 23 <sup>1</sup> Defendants do not seek to seal the exhibits that are listed here without citation to a supporting declaration.

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 25 <sup>2</sup> Defendants previously cited RX3024 in their Statement Of Witnesses And Evidence For June 22, 2023, Pursuant To Court Order (ECF No. 170), ECF No. 174. RX3024 is a duplicate version of RX1221, cited above. Confidential treatment was previously sought for this document. ECF No. 150 at 47 (citing RX1221).

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 27 <sup>3</sup> Defendants previously cited RX3025 in their Statement Of Witnesses And Evidence For June 22, 2023, Pursuant To Court Order (ECF No. 170), ECF No. 174. RX3025 is a duplicate version of RX1222, cited above. Confidential treatment was previously sought for this document. ECF No. 150 at 47 (citing RX1222).

	RX3027	ECF No. 150 at 48	N/A
	RX1245 <sup>4</sup>	Amended declaration forthcoming	N/A
	RX5044	N/A	N/A
Pete Hines	N/A	N/A	N/A

<sup>4</sup> Defendants previously cited RX3028 in their Statement Of Witnesses And Evidence For June 22, 2023, Pursuant To Court Order (ECF No. 170), ECF No. 174. RX3028 is a duplicate version of RX1245, cited above. Confidential treatment was previously sought for this document. ECF No. 150 at 50 (citing RX1245).

1 Dated: June 22, 2023

2  
3 By: /s/ Caroline Van Ness

4 Caroline Van Ness (SBN 281675)

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12 Respectfully submitted,

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